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Application Number

O8/698,558

TRANSMITTAL

Filing Date

October 27, 2000

First Named Inventor

NOEL S. MOEN et al.

TRANSMITTAL	Filing Date	October 27, 2000
FORM	First Named Inventor	NOEL S. MOEN et al.
(to be used for all correspondence after initial	filing) Art Unit	3725 IAN 2. 0
	Examiner Name	Mark Rosenbaum
Total Number of Pages in This Submission	9 Attorney Docket Number	Case 6103
	ENCLOSURES (Check all th	hat apply)
Fee Transmittal Form	Drawing(s)	After Allowance communication to Technology Center (TC)
Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences
Amendment/Reply	Petition Petition to Convert to a	Appeal Communication to TC (Appeal Notice, Brisf, Reply Brisf)
After Final	Provisional Application	Proprietary Information
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Add	dress Status Letter
Extension of Time Request	Terminal Disclaimer	Other Enclosure(s) (please Identify below):
Express Abandonment Request	Request for Refund	
Information Disclosure Statement	CD, Number of CD(s)	}
Certified Copy of Priority	Remarks	
Document(s)	AMENUMENT IN RESPONSE TO NOT	TICE OF NON-COMPLIANT AMENDMENT
Response to Missing Parts/ Incomplete Application		
Response to Missing Parts under 37 CFR 1.52 or 1.53	•	
SIGNA	TURE OF APPLICANT, ATTORN	NEY, OR AGENT
Eric Marich, Patent Dept.		
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Ite January 20, 2004		
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ereby ceruly that this correspondence is be fficient postage as first class mall in an env a date shown below.	elope addressed to: Commissioner for Pa	or deposited with the United States Postal Service with atents, P.O. Box 1450, Alexandria, VA 22313-1450 on
ped or printed name  Eric Marich		
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 2 0 2004

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted via facsimile to telephone number 703-872-9302, Art Unit 3725, the United States Patent & Trademark Office, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on January 20, 2004.

Ey: Erio Marich

Dated: January 20, 2004

Patent Attorney Docket No.: Case 6103

OFFICIAL

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of ) IMPROVEMENTS IN

NOEL S. MOEN ET AL. ) EL TYPE PULVERIZERS

Filed: October 27, 2000 )

Serial No.: 09/698,558 ) Confirmation No.: 5059

Art Unit: 3725 )

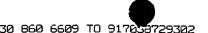
Examiner: Mark Rosenbaum ) Attorney Docket No.: Case 6103

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450

## AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

The Office Action mailed December 17, 2003 indicated that Applicants' Amendment filed on December 1, 2003 was non-compliant because it failed to meet the requirements of 37 CFR §1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003), and required correction. In particular, the Office Action indicated that Applicants' amendments to the specification did not include amended paragraphs with markings. However, the Office Action indicated that only the section (§1.121(h)) of the Amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety).



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AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT Patent Application Serial No. 09/698,558 Reply to Office Action Mailed December 17, 2003

Art Unit: 3725

The Office Action also indicated that if the non-compliant Amendment was a reply to a NON-FINAL OFFICE ACTION, since the Amendment appears to be a *bona fide* attempt to reply (37 CFR §1.135(c)), Applicants were given a TIME PERIOD of ONE MONTH from the mailing date of the notice within which to re-submit the corrected section which complies with 37 CFR §1.121 in order to avoid abandonment, and further indicated that

extensions of this time period are available under 37 CFR §1.136(a).

It is believed that no extensions of time are required for the present submission but if any are required, the Commissioner is hereby authorized to charge any fees for same, or to credit any overpayment thereof, to Deposit Account No. 50-1813 as set forth in the enclosed Transmittal. Since the TIME PERIOD of ONE MONTH from the mailing date of the notice is to and including Saturday, January 17, 2004, and the following Monday, January 19, 2004 is Martin Luther King, Jr.'s birthday, a Federal holiday within the District of Columbia, Applicants may timely respond on the following Tuesday, namely January 20, 2004.

In response to the Office Actions mailed July 29, 2003 and December 17, 2003, please amend the above-identified patent application as follows:

AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT Patent Application Serial No. 09/698,558 Reply to Office Action Mailed December 17, 2003 Art Unit: 3725

Attorney Docket No.: Case 6103

Amendments to the Specification begin on page 4 of this paper.

Remarks begin on page 8 of this paper.